

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL NO. 1456

THIS DOCUMENT RELATES TO:  
  
GSK SETTLEMENT

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**MOTION ON BEHALF OF CERTAIN PARTICIPATING STATES FOR EXTENSION  
OF TIME TO FILE PLAN OF ALLOCATION CONCERNING UNCLAIMED  
CONSUMER FUNDS IN THE GSK SETTLEMENT**

On June 22, 2009, as part of the MDL Mediator Eric Green's decision on the disposition of remaining funds in the GSK consumer fund, Professor Green instructed the five participating states in that mediation (Arizona, Connecticut, Montana, Nevada and Pennsylvania) to file with the Court a joint agreement or proposal as to how any funds allocated to these states would be divided among them. This proposal was to be filed with the Court and the MDL Mediator on July 24, 2009.

The parties involved have had initial discussions but have not yet reached a resolution and require modest additional time to attempt to devise a plan of allocation. Class Counsel has been asked, on behalf of these states, to request a modest extension of the deadline to file the agreed upon allocation from July 24, 2009 to July 31, 2009.

NOW THEREFORE, on behalf of these participating states, Class Counsel respectfully request that the Court grant the parties until July 31, 2009 to file a proposed division of funds between these states.

DATED: July 23, 2009

By /s/ Steve W. Berman  
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**CO-LEAD COUNSEL FOR  
PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **MOTION FOR EXTENSION OF TIME ON BEHALF OF CERTAIN PARTICIPATING STATES TO FILE PLAN OF ALLOCATION CONCERNING UNCLAIMED CONSUMER FUNDS IN THE GSK SETTLEMENT**, to be delivered to all counsel of record by electronic July 23, 2009, a copy to LexisNexis File & Serve for posting and notification to all parties.

**/s/ Steve W. Berman**

Steve W. Berman